

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

DONNA CURLING, *et al.*

Plaintiffs,

v.

BRAD RAFFENSPERGER, *et al.*,

Defendants.

CIVIL ACTION

FILE NO. 1:17-cv-2989-AT

**STATE DEFENDANTS’ NOTICE OF CONFIDENTIAL AND
ATTORNEYS’ EYES ONLY DOCUMENTS TO BE USED
DURING PRELIMINARY INJUNCTION HEARING**

COME NOW Defendants Secretary of State Brad Raffensperger, State Election Board, and State Election Board Members (“State Defendants”) and provide notice of the Confidential and Attorneys’ Eyes Only documents State Defendants intend to use during the preliminary injunction hearing on July 15-26, 2019.

The documents State Defendants intend to use are as follows:

Document	Designating Party	Basis for Designation	Party Offering Exhibit
Fortalice Cyber Risk Assessment October 2017 Payton 000001 – 000070	State Defendants	Attorneys’ Eyes Only – Document contains methods, tools, and instrumentalities of security tests, audits, and investigations.	State Defendants
Fortalice Red Team Penetration Test and Cyber Risk Assessment November 2018 Payton 000070 – 000119	State Defendants	Attorneys’ Eyes Only – Document contains methods, tools, and instrumentalities of security tests, audits, and investigations.	State Defendants
FINAL Fortalice Cyber Risk Assessment February 2018 Payton 000120 – 000152	State Defendants	Attorneys’ Eyes Only – Document contains methods, tools, and instrumentalities of security tests, audits, and investigations.	State Defendants
Example Ballot Image Report Deposition of Jennifer Doran – Coalition Plaintiffs’ Exhibit 34	State Defendants	Confidential – Ballot Images confidential pursuant to O.C.G.A. § 21-2-500(a) (ballots must be kept under seal absent court order)	State Defendants

While State Defendants intend to use the above documents during the hearing, they do not anticipate showing the documents to any individuals other than the respective witnesses, opposing counsel, and the Court. State Defendants

also do not anticipate questioning any witness in such specific detail regarding the above documents that sensitive information contained therein would be disclosed during that witness's testimony. Accordingly, State Defendants do not anticipate asking the Court to clear the courtroom or otherwise restrict the viewing public's access to proceedings during State Defendants' direct examination of any witness. State Defendants reserve the right to request the Court to clear the courtroom or otherwise restrict the viewing public's access to proceedings during Plaintiffs' presentation if necessary.

Respectfully submitted this 24th day of July 2019.

/s/ Vincent R. Russo

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Counsel for State Defendants

CERTIFICATE OF COMPLIANCE

Pursuant to L.R. 7.1(D), the undersigned hereby certifies that the foregoing
STATE DEFENDANTS' NOTICE OF CONFIDENTIAL AND
ATTORNEYS' EYES ONLY DOCUMENTS TO BE USED DURING
PRELIMINARY INJUNCTION HEARING has been prepared in Times New
Roman, 14 pt., a font and type selection approved by the Court in L.R. 5.1(B).

/s/ Vincent R. Russo
Vincent R. Russo
Georgia Bar No. 242628

CERTIFICATE OF SERVICE

I hereby certify that I filed the foregoing **STATE DEFENDANTS’
NOTICE OF CONFIDENTIAL AND ATTORNEYS’ EYES ONLY
DOCUMENTS TO BE USED DURING PRELIMINARY INJUNCTION
HEARING** with the Clerk of Court using the CM/ECF system, which will
automatically send counsel of record e-mail notification of such filing:

This 24th day of July, 2019

/s/ Vincent R. Russo
Vincent R. Russo